

EXHIBIT I

ORIGINAL

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELIEZER LOPEZ and SUHAIL LAUREANO,

Plaintiffs

Case No. 17 Civ. 00181(LAP)

-against-

THE CITY OF NEW YORK, LUIS LINARES,
LUIS ANGELES, and JOHN DOES #1-3,

Defendants

-----X

Witness: SHANIQUA CLARK

New York, New York

Tuesday, April 17, 2018

Reported by:
Ellen Sandles
Job 15827

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SHANQUA

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April 17, 2018

10:10 a.m.

Deposition of SHANIQUA CLARK, held at
the offices of Emery Celli Brinckerhoff & Abady,
LLP, 600 Fifth Avenue, 10th Floor, New York, New
York, before Ellen Sandles, a Shorthand Reporter
and Notary Public of the State of New York.

NYC LAW DEPARTMENT
COMMUNICATIONS UNIT
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1 A P P E A R A N C E S:

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11 Attorneys for Defendants

12 100 Church Street

13 New York, New York 10007

14 BY: CAROLYN DEPOIAN, ESQ.

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18 ALSO PRESENT:

19 Julia Kuan, Esq., Romano & Kuan

20 Rachel Seligman, Esq., Corporation Counsel

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1 SHANIQUA CLARK

2 A. Yes.

3 Q. Who was that?

4 A. Police Officer Moise.

5 Q. Were you working out of the 42nd
6 precinct at the time?

7 A. Yes.

8 Q. Are you still?

9 A. No.

10 Q. Where are you now?

11 A. Bronx Special Victims Squad.

12 Q. How long have you been with the Bronx
13 Special Victims Squad?

14 A. Since September 2016.

15 Q. Before joining the Bronx Special
16 Victims Squad, were you part of the anti-crime
17 unit at the 42nd precinct?

18 A. Yes.

19 Q. So you went from the anti-crime unit to
20 the special victims squad, is that right?

21 A. Yes.

22 Q. So you said that you remember
23 responding to Arthur Avenue and Crotona Park?

24 A. Yes.

25 Q. What do you remember seeing when you

1 SHANIQUA CLARK

2 got there?

3 A. I didn't really see anything. I spoke
4 to either Sergeant Rosario or Officer Wooten.

5 Q. What did they tell you?

6 A. They informed me that a guy fell.

7 Q. From where?

8 MS. DEPOIAN: Objection.

9 A. From the fence.

10 Q. Where were you standing when you had
11 this conversation with either Sergeant Rosario or
12 Officer Wooten?

13 A. On the corner.

14 Q. Could you see the fence from where you
15 were?

16 A. Yes.

17 Q. Could you see the grassy area below the
18 fence?

19 A. No.

20 Q. Did you ever look over the fence to the
21 grassy area below?

22 A. Yes.

23 Q. Did you see anyone down there?

24 A. No -- correction. I did see an
25 officer, but I don't remember who.

1 SHANIQUA CLARK

2 Q. Is it your understanding that the
3 person who had fallen, as you put it, had already
4 been taken away in an ambulance?

5 A. Can you repeat that?

6 Q. Sure. You said you looked over the
7 fence and you saw an officer but nobody else in
8 the grassy area, is that correct?

9 A. That is correct.

10 Q. So is it your understanding that the
11 person who had fallen, as you put it, had already
12 been taken away by an ambulance?

13 MS. DEPOIAN: Objection.

14 A. No, he was still there.

15 Q. Where was he?

16 MS. DEPOIAN: Objection.

17 A. Somewhere down there.

18 Q. So when you said that you looked over
19 and saw an officer, did you also see the man who
20 had fallen?

21 A. I couldn't see.

22 Q. But you just told me he was still down
23 in the grassy area.

24 MS. DEPOIAN: Objection.

25 A. Yes.

1 SHANIQUA CLARK

2 Q. Can you explain how you know he was
3 still in the grassy area when you couldn't see
4 him?

5 A. The officers were still there, and I
6 was informed he was still there.

7 Q. So why didn't you see him?

8 MS. DEPOIAN: Objection.

9 A. I'm afraid of heights and I leaned over
10 a little bit, but I couldn't see him. I saw the
11 height difference and I pushed myself back.

12 Q. So you didn't get a full view of the
13 area below the fence, is that fair to say?

14 A. Yes.

15 Q. When you arrived at the scene at the
16 corner of Crotona and Arthur Avenue were there
17 other officers as well?

18 A. Yes.

19 Q. Do you recall who was there?

20 A. No.

21 Q. Could you estimate how many other
22 officers were there?

23 A. I could not.

24 Q. More than five?

25 A. I wouldn't know.

1 SHANIQUA CLARK

2 A. I do not.

3 Q. At any point on December 7, 2015, did

4 you see the person who fell over the fence?

5 A. No.

6 Q. You never saw him being loaded into an

7 ambulance?

8 MS. DEPOIAN: Objection.

9 A. No.

10 Q. How long did you stay on the scene?

11 A. I don't recall.

12 Q. Did you see the ambulance leave?

13 A. I don't recall.

14 Q. Did you see other officers leave before

15 you left?

16 A. I don't remember.

17 Q. Would that be something you would note

18 in your memo book?

19 A. No.

20 Q. Would you note in your memo book when

21 you responded to a call for an officer in need of

22 assistance?

23 A. No.

24 Q. What is the memo book for?

25 MS. DEPOIAN: Objection.